

108TH CONGRESS  
2D SESSION

# H. R. 4606

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## AN ACT

To authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California, and for other purposes.



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To authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Southern California  
5       Groundwater Remediation Act”.

6       **SEC. 2. DEFINITIONS.**

7       For the purposes of this Act:

8               (1) GROUNDWATER REMEDIATION.—The term  
9       “groundwater remediation” means actions that are  
10       necessary to prevent, minimize, clean up, or mitigate  
11       damage to groundwater.

12              (2) LOCAL WATER AUTHORITY.—The term  
13       “local water authority” means a currently existing  
14       (on the date of the enactment of this Act) public  
15       water district, public water utility, public water plan-  
16       ning agency, municipality, or Indian Tribe located  
17       within the natural watershed of the Santa Ana River  
18       in the State of California.

19              (3) REMEDIATION FUND.—The term “Remedi-  
20       ation Fund” means the Southern California Ground-  
21       water Remediation Fund established pursuant to  
22       section 3(a).

23              (4) SECRETARY.—The term “Secretary” means  
24       the Secretary of the Interior.

1 **SEC. 3. SOUTHERN CALIFORNIA GROUNDWATER REMEDI-**  
2 **ATION.**

3 (a) SOUTHERN CALIFORNIA GROUNDWATER REME-  
4 DIATION.—

5 (1) ESTABLISHMENT OF REMEDIATION  
6 FUND.—There shall be established within the Treas-  
7 ury of the United States an interest bearing account  
8 to be known as the “Southern California Ground-  
9 water Remediation Fund”.

10 (2) ADMINISTRATION OF REMEDIATION  
11 FUND.—The Remediation Fund shall be adminis-  
12 tered by the Secretary, acting through the Bureau of  
13 Reclamation. The Secretary shall administer the Re-  
14 mediation Fund in cooperation with the local water  
15 authority.

16 (3) PURPOSES OF REMEDIATION FUND.—

17 (A) IN GENERAL.—Subject to subpara-  
18 graph (B), the amounts in the Remediation  
19 Fund, including interest accrued, shall be used  
20 by the Secretary to provide grants to the local  
21 water authority to reimburse the local water au-  
22 thority for the Federal share of the costs associ-  
23 ated with designing and constructing ground-  
24 water remediation projects to be administered  
25 by the local water authority.

26 (B) COST-SHARING LIMITATION.—

1 (i) IN GENERAL.—The Secretary may  
2 not obligate any funds appropriated to the  
3 Remediation Fund in a fiscal year until  
4 the Secretary has deposited into the Reme-  
5 diation Fund an amount provided by non-  
6 Federal interests sufficient to ensure that  
7 at least 35 percent of any funds obligated  
8 by the Secretary for a groundwater reme-  
9 diation project are from funds provided to  
10 the Secretary for that project by the non-  
11 Federal interests.

12 (ii) NON-FEDERAL RESPONSI-  
13 BILITY.—Each local water authority shall  
14 be responsible for providing the non-Fed-  
15 eral amount required by clause (i) for  
16 projects under that local water authority.  
17 The State of California, local government  
18 agencies, and private entities may provide  
19 all or any portion of the non-Federal  
20 amount.

21 (iii) CREDITS TOWARD NON-FEDERAL  
22 SHARE.—For purposes of clause (ii), the  
23 Secretary shall credit the appropriate local  
24 water authority with the value of all prior  
25 expenditures by non-Federal interests

1 made after January 1, 2000, that are com-  
2 patible with the purposes of this section,  
3 including—

4 (I) all expenditures made by non-  
5 Federal interests to design and con-  
6 struct groundwater remediation  
7 projects, including expenditures asso-  
8 ciated with environmental analyses,  
9 and public involvement activities that  
10 were required to implement the  
11 groundwater remediation projects in  
12 compliance with applicable Federal  
13 and State laws; and

14 (II) all expenditures made by  
15 non-Federal interests to acquire lands,  
16 easements, rights-of-way, relocations,  
17 disposal areas, and water rights that  
18 were required to implement a ground-  
19 water remediation project.

20 (b) COMPLIANCE WITH APPLICABLE LAW.—In car-  
21 rying out the activities described in this section, the Sec-  
22 retary shall comply with any applicable Federal and State  
23 laws.

24 (c) RELATIONSHIP TO OTHER ACTIVITIES.—Nothing  
25 in this section shall be construed to affect other Federal

1 or State authorities that are being used or may be used  
2 to facilitate remediation and protection of the groundwater  
3 the natural watershed of the Santa Ana River in the State  
4 of California. In carrying out the activities described in  
5 this section, the Secretary shall integrate such activities  
6 with ongoing Federal and State projects and activities.  
7 None of the funds made available for such activities pursu-  
8 ant to this section shall be counted against any Federal  
9 authorization ceiling established for any previously author-  
10 ized Federal projects or activities.

11 (d) FINANCIAL STATEMENTS AND AUDITS.—The  
12 Secretary shall ensure that all funds obligated and dis-  
13 bursed under this Act and expended by a local water au-  
14 thority, are accounted for in accordance with generally ac-  
15 cepted accounting principles and are subjected to regular  
16 audits in accordance with applicable procedures, manuals,  
17 and circulars of the Department of the Interior and the  
18 Office of Management and Budget.

19 (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
20 authorized to be appropriated to the Remediation Fund



- 1 \$50,000,000. Such funds shall remain available until ex-
- 2 pended.

Passed the House of Representatives September 28,  
2004.

Attest:

*Clerk.*